

AMENDED IN SENATE SEPTEMBER 7, 2007

AMENDED IN SENATE JULY 3, 2007

AMENDED IN SENATE JUNE 18, 2007

AMENDED IN ASSEMBLY APRIL 10, 2007

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

ASSEMBLY BILL

No. 1725

Introduced by ~~Committee on Judiciary (Jones (Chair), Evans, Feuer, Krekorian, Laird, Levine, and Lieber)~~ Assembly Member Lieu

March 6, 2007

~~An act to add Section 51.13 to the Civil Code, relating to discrimination.~~ *An act relating to judicial candidates.*

LEGISLATIVE COUNSEL'S DIGEST

AB 1725, as amended, ~~Committee on Judiciary Lieu. Discrimination: medical care.~~ *Evaluation of judicial candidates: disclosure.*

Existing law requires the Governor to submit the names of all potential appointees or nominees for a judicial office to a designated agency of the State Bar of California for evaluation of their qualifications.

This bill would state the intent of the Legislature that the ratings of persons appointed or nominated to a judicial office given by the State Bar shall be appropriately disclosed in order to promote public trust and confidence in the judicial branch.

~~The Unruh Civil Rights Act entitles all persons within the jurisdiction of this state to the full and equal accommodations, advantages, facilities, privileges, or services in all business establishments, regardless of sex,~~

~~race, color, religion, ancestry, national origin, disability, medical condition, marital status, or sexual orientation.~~

~~Under existing law, persons holding licenses under the provisions of the Business and Professions Code are subject to disciplinary action for refusing, or aiding or inciting another licensee to refuse, to perform the licensed services because of the prospective recipient's race, color, sex, religion, ancestry, disability, marital status, or national origin.~~

~~This bill would further prohibit a business establishment subject to those licensing provisions from discriminating against a patient based upon sex, race, color, religion, ancestry, national origin, disability, medical condition, marital status, or sexual orientation, except as specified.~~

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. *It is the intent of the Legislature that the ratings*
2 *of persons appointed or nominated to a judicial office pursuant*
3 *to Section 12011.5 of the Government Code shall be appropriately*
4 *disclosed in order to promote public trust and confidence in the*
5 *judicial branch.*

6 SECTION 1. ~~Section 51.13 is added to the Civil Code, to read:~~
7 ~~51.13.—(a) To the extent that an individual subject to Section~~
8 ~~125.6 of the Business and Professions Code is a business~~
9 ~~establishment, Sections 51 and 51.5 shall be construed to prohibit~~
10 ~~the individual from discriminating in the provision of medical~~
11 ~~services and care to a patient based upon or affected by the~~
12 ~~characteristics covered by those sections.~~

13 ~~(b) Nothing in this section shall be interpreted to prevent a~~
14 ~~physician and surgeon or health care professional licensed pursuant~~
15 ~~to Division 2 (commencing with Section 500) of the Business and~~
16 ~~Professions Code from considering any of the characteristics of a~~
17 ~~patient listed in subdivision (b) or (c) of Section 51 if that~~
18 ~~consideration is medically necessary and for the sole purpose of~~
19 ~~determining the appropriate diagnosis or treatment of the patient.~~